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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,

Plaintiff,

v.

Nicholas Richars,

Defendant.

Case No.: CR 21–206 CRB (LB)

**[Proposed] Joint Stipulated Order
to Modify Conditions of Release**

Defendant Nicholas Richars was charged with a violation of 18 U.S.C. § 2252(a)(2) and (b)—Receipt of child pornography on April 21, 2021. Conditions of release were set the same day and Mr. Richars was ordered to remain in the custody of custodian Marrily Kay at her home address. On July 29, 2022, Mr. Richars was sentenced to a term of 63-months custody. He is ordered to self-surrender on January 10, 2023.

Mr. Richars currently has a curfew has been compliant with his conditions of release.

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3 Mr. Richars submits this proposed order for permission for the following
4 modifications:

- 5 • From December 23-28, 2022, Mr. Richars is permitted to travel to his
6 grandparents' home in Davis, California, and stay overnight. He is permitted to
7 abide by the conditions of his regular curfew at his grandparents' home.
- 8 • Mr. Richars must provide addresses his grandparents to Pretrial Services prior
9 to traveling.
- 10 • On December 31, 2022, Mr. Richars is permitted to work at his restaurant until 4
11 a.m. on January 1, 2023.
- 12 • On January 1, 2023, Mr. Richars is permitted to attend a celebration at a friend's
13 house in Modesto until 1 a.m. on January 2, 2023.
- 14 • Mr. Richars must provide addresses his friend's house to Pretrial Services prior
15 to traveling.
- 16 • On January 2, 2023, Mr. Richars is permitted to attend a function at his
17 restaurant until 1 a.m. on January 3, 2023.
- 18 • Mr. Richars' custodian is required to notify Pretrial Services should Mr. Richars
19 fail to follow through with the conditions of his pretrial release.

20 The government has no objection to these proposed modifications. Pretrial Services
21 objects to the modifications as they do not approve overnight stays for individual on
22 location monitoring. Notwithstanding Pretrial Services objection, Mr. Richars has had his
23 bond conditions modified similarly previously permitting him to spend time with his
24 family during the holidays. *See* Dkt. No. 35 (Thanksgiving 2021), 41 (Christmas 2021), 58
25 (Thanksgiving 2022).

IT IS SO STIPULATED.

December 22, 2022
Dated

STEPHANIE M. HINDS
Acting United States Attorney
Northern District of California

/S
CHARLES F. BISESTO
Assistant United States Attorney

December 22, 2022
Dated

JODI LINKER
Federal Public Defender
Northern District of California

/S
CANDIS MITCHELL
Assistant Federal Public Defender

~~[PROPOSED]~~ ORDER

Therefore, for good cause shown defendant Nicholas Richars is permitted to travel and modify his curfew for the following dates:

- From December 23-28, 2022, Mr. Richars is permitted to travel to his grandparents' home in Davis, California, and stay overnight. He is permitted to abide by the conditions of his regular curfew at his grandparents' home.
- Mr. Richars must provide addresses his grandparents to Pretrial Services prior to traveling.
- On December 31, 2022, Mr. Richars is permitted to work at his restaurant until 4 a.m. on January 1, 2023.
- On January 1, 2023, Mr. Richars is permitted to attend a celebration at a friend's house in Modesto until 1 a.m. on January 2, 2023.
- Mr. Richars must provide addresses his friend's house to Pretrial Services prior to traveling.
- On January 2, 2023, Mr. Richars is permitted to attend a function at his restaurant until 1 a.m. on January 3, 2023.
- Mr. Richars' custodian is required to notify Pretrial Services should Mr. Richars fail to follow through with the conditions of his pretrial release.

IT IS SO ORDERED.

December 22, 2022
Dated



HON. LAUREL BEELER
United States Magistrate Judge